

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) An apparatus comprising:

(A) a photometric unit for receiving object light and converting the object light into luminance signals of a plurality of ~~an area~~ areas of an image sensor;

(B) a control unit for calculating a histogram of a luminance distribution on the basis of the luminance signals of the plurality of ~~an area~~ areas of the image sensor converted by said photometric unit; and

(C) a luminance distribution determination unit for determining ~~an area~~ areas of the image sensor which [is] are regarded as having a ~~luminance level of a predetermined range~~ predetermined low-luminance-level in the histogram,

wherein said control unit controls a light emission of an illumination device based on a luminance signal excluding [a] luminance ~~signal~~ signals of an area areas of the image sensor which [is] are determined as to have a ~~luminance level of the predetermined range~~ the predetermined low-luminance-level by said luminance distribution determination unit, and whose proportion to overall frame exceeds a reference value.

2-9 (Canceled)

10. (Original) The apparatus according to claim 1, wherein said apparatus includes an image sensing apparatus.

11. (Canceled)

12. (Currently Amended) An apparatus comprising:

(A) a photometric unit for receiving object light and converting the object light into luminance signals of a plurality of ~~an-area~~ areas of an image sensor;

(B) a control unit for calculating a histogram of a luminance distribution on the basis of the luminance signals of ~~an-area~~ areas of the image sensor converted by said photometric unit; and

(C) a luminance distribution determination unit for determining ~~an-area~~ areas of the image sensor which [is] are regarded as having a ~~luminance-level of a predetermined range~~ predetermined low-luminance-level in the histogram,

wherein said control unit controls a light emission in a case of a flash photographing operation based on a luminance signal excluding [a] ~~luminance signal~~ signals of an-area areas of the image sensor which [is] are determined as to have a ~~luminance-level of the predetermined range~~ the predetermined low-luminance-level by said luminance distribution determination unit, and whose proportion to overall frame exceeds a reference value.

13-18. (Canceled)

19. (Original) The apparatus according to claim 12, wherein said apparatus includes an image sensing apparatus.

20. (Canceled)

21. (Currently Amended) An illumination device control method comprising:

a step of receiving object light;

a step of converting the object light into luminance signals of a plurality of ~~an~~ area areas of an image sensor;

a step of calculating a histogram of a luminance distribution on the basis of the converted luminance signals of the plurality of ~~an area~~ areas of the image sensor;

a step of determining ~~an area~~ areas of the image sensor which [is] are regarded as having a ~~luminance level of a predetermined range~~ predetermined low-luminance-level in the histogram; and

a step of controlling a light emission of an illumination device based on a luminance signal excluding [a] luminance ~~signal~~ signals of ~~an area~~ areas of the image sensor which [is] are determined as to have a ~~luminance level of the predetermined range~~ the predetermined low-luminance-level by said luminance distribution determination step, and whose proportion to overall frame exceeds a reference value.

22 (Currently Amended) A flash photographing method comprising:

a step of receiving object light;

a step of converting the object light into luminance signals of a plurality of ~~an area~~ areas of an image sensor;

a step of calculating a histogram of a luminance distribution on the basis of the converted luminance signals of the plurality of ~~an area~~ areas of the image sensor;

a step of determining ~~an area~~ areas of the image sensor which [is] are regarded as having a ~~luminance level of a predetermined range~~ predetermined low-luminance-level in the histogram; and

a step of controlling a light emission in a case of flash photographing operation based on a luminance signal excluding [a] luminance ~~signal~~ signals of ~~an area~~ areas of the image sensor which [is] are determined as to have a ~~luminance level of the predetermined range~~ the

predetermined low-luminance-level by said luminance distribution determination step, and whose proportion to overall frame exceeds a reference value.

23.-26. (Canceled)

27. (Previously Presented) The apparatus according to claim 1, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

28. (Previously Presented) The apparatus according to claim 12, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

29. (Previously Presented) The apparatus according to claim 21, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

30. (Previously Presented) The apparatus according to claim 22, wherein the histogram is generated on the basis of signal levels of red signal, blue signal and green signal that are obtained by decomposing a sensed image signal.

31-38. (Cancelled)